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JFW

Dept Ref

APR 23 2007

Attorney Docket No.: 80398.P433

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: ) Examiner: Bengzon, G.  
 )  
 Tabatabai, et al. ) Art Unit: 2144  
 )  
 Application No.: 10/038,142 )  
 )  
 Filed: October 22, 2001 )  
 )  
 For: DELIVERY OF MULTIMEDIA )  
 DESCRIPTORS USING ACCESS UNITS )  
 )

Mail Stop 16  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND  
(Pursuant to 37 C.F.R. § 1.26(a))

Applicant's deposit account has been incorrectly charged for an extension of time in the amount of \$120.00. The details of this incorrect charge are outlined below.

A final office action was issued June 13, 2005. Applicant's filed a Notice of Appeal and Pre-Appeal Brief for Review September 13, 2005. A Notice of Panel Decision from Pre-Appeal Brief issued November 3, 2005. Applicant submitted the Appeal Brief on December 5, 2005, since December 3, 2005 fell on a Saturday.

Applicant's deposit account was charged in the amount of \$120.00 for an extension of time. Applicant respectfully requests a refund in the amount of \$120.00 to be credited to Deposit Account No. 02-2666.

Accompanying this request are copies of (1) a copy of the fee transmittal, (2) a copy of check number 1651 in the amount of \$500.00 for the Appeal Brief, and (3) a copy of the stamped return-receipt postcard.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: April 26, 2007

Sheryl Sue Holloway  
Reg. No. 37,850

12400 Wilshire Blvd., Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300

**R E C E I V E D**

DEC 13 2005

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
LOS ANGELES

Application No.: 10/038,142  
Date Mailed: 12/5/05

Filing/Issue Date: 10/22/01  
Due Date(s): 12/5/05 \*\*\*\*

Docket No.: 80398.P433

Client: Sony Electronics Inc.

Title: Delivery of Multimedia Descriptors Using Access Units

First Named Inventor: Tabatabai

*The following has been received in the U.S.P.T.O. on the date stamped hereon:*

**Transmittal Letters & Certificate of Mailing**

- Transmittal Letter (1 pg.)  
 Fee Transmittal (3 pgs. each)  
 RCE (Request for Continued Examination)  
 Transmittal of Formal Drawings  
 Issue Fee Transmittal (1 pg)  
 Certificate of Mailing  
 Express Mail No.: «Expressmail»

**Missing Parts, Formal Papers**

- Response to Notice of Missing Parts  
 Assignment & Cover sheet (\_\_\_\_ pgs.)  
 Declaration & POA (\_\_\_\_ pgs.)

**Amendment / Response**

- Amendment/Response (\_\_\_\_ pgs.)  
 Examiner Interview Summary (\_\_\_\_ pgs.)

- Other: Appendix A (13 pgs.)

**Petitions & Appeals**

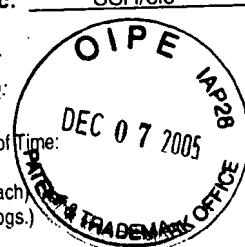
- Petition for Extension of Time:  
 Notice of Appeal  
 Appeal Brief (6 pgs. each)  
 Reply Brief (\_\_\_\_ pgs.)

**Other**

- Information Disclosure Statement & PTO/SB/08  
(\_\_\_\_ pgs.) (previously 1449)  
 Request to Publish (Rescind NonPublication)  
 Drawings: \_\_\_\_ sheets, \_\_\_\_ figures  
 Terminal Disclaimer  
 Postcard

**Checks**

- Check No. 1651 Amount \$500.00  
 Check No. \_\_\_\_\_ Amount \$\_\_\_\_\_



Date 4/5/2006 Client: Sony Electronics Inc.

Docket Initials Y Docket No.: 80398.P433

Dock. Sup. Initials \_\_\_\_\_

Atty Initials \_\_\_\_\_ SSH WWS

Pat/Ser/Reg 038142

142

Description:

Watch for examiner's answer to appeal; appeal brief filed 12/5/2005

**ENTERED  
INTO SONY DB**

12/23/2005

Cleto Cadano

488435

**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

1279 OAKMEAD PARKWAY  
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California Bank & Trust  
16130 La Jolla Blvd.  
Encl 91438

001651

1651

18-339/122

36

December 5, 2005

PAY TO THE  
ORDER OF

Director of the United States Patent & Trademark Office

\$ \*\*\$500.00\*\*

DOLLARS

\*\*FIVE HUNDRED & NO/100\*\*

Director of the United States  
Patent & Trademark Office

MEMO \_\_\_\_\_

*Diane C. Robson*

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

VENDOR NO.: 005173

NAME: Director of Pat & TM- SV

CHECK NO:

001651

1651

CHECK DATE:

12/05/2005

Invoice:  
80398.P433

12/05/05 Amount:

500.00

Sony Electronics Inc.

ab - Appeal Brief filing fee

"Delivery of Multimedia Descriptors Using Access Units"

USSN: 10/038,142

Filed: 10/22/01

Inv.: Tabatabai

SSH/clc

S

TOTAL:

500.00

**FEE TRANSMITTAL FOR FY 2005**

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**TOTAL AMOUNT OF PAYMENT (\$)** 500.00**Complete if Known:**Application No. 10/038,142Filing Date 10/22/01First Named Inventor TabatabaiExaminer Name Bengzon, G.Art Unit 2144Attorney Docket No. 80398.P433

Applicant claims small entity status. See 37 CFR 1.27.

**METHOD OF PAYMENT** (check all that apply)

Check     Credit Card     Money Order     None     Other (please identify)

**Deposit Account**Deposit Account Number : 02-2666

Deposit Account Name:

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

 Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application. Charge fee(s) indicated below except for the filing fee Credit any overpayments.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Warning: Information on this form may become public. Credit card information should not be included on this form.  
Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Large Entity	Small Entity	Fee Description	Fees Paid (\$)		
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
1011	300	2011	150	Utility application filing fee	1,000/500
1111	500	2111	250	Utility search fee	
1311	200	2311	100	Utility examination fee	
1012	200	2012	100	Design application filing fee	
1112	100	2112	50	Design search fee	
1312	130	2312	65	Design examination fee	430/215
1013	200	2013	100	Plant filing fee	
1113	300	2113	150	Plant search fee	
1313	160	2313	80	Plant examination fee	660/330
1004	300	2004	150	Reissue filing fee	
1114	500	2114	250	Reissue search fee	
1314	600	2314	300	Reissue examination fee	1,400/700
1005	200	2005	100	Provisional application filing fee	

SUBTOTAL (1) \$ 0

**2. EXCESS CLAIM FEES**

				<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims		- 20 or HP =		X	=	
HP = highest number of total claims paid for, if greater than 20						
Independent Claims		- 3 or HP =		X	=	
HP = highest number of independent claims paid for, if greater than 3						
Multiple Dependent Claims					=	
<b>Large Entity</b>		<b>Small Entity</b>				
Fee	Fee	Fee	Fee			
Code	(\$)	Code	(\$)			
1202	50	2202	25	Fee Description		
1201	200	2201	100	Each claim over 20		
1203	360	2203	180	Each Independent claim over 3		
1204	200	2204	100	Multiple dependent claims, if not paid		
1205	50	2205	25	Reissue: each claim over 20 and more than in the original patent		
				Reissue: each independent claim more than in the original patent		
				SUBTOTAL (2) \$	0	

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	- 100 = _____ / 50 = _____ (round up to whole number)	X	_____	_____

<b>Large Entity</b>		<b>Small Entity</b>		<b>Fee Description:</b> Application size fee for each additional group of 50 sheets beyond initial 100 sheets (count spec & drawings except sequences & program listings):
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0

**FEE CALCULATION (continued)****4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)				<u>Fees Paid (\$)</u>
<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for ex parte reexamination
1813	8,800	1813	8,800	Request for inter partes reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,590	2254	795	Extension for reply within fourth month
1255	2,160	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	500	2452	250	Petition to revive – unavoidable
1453	1,500	2453	750	Petition to revive - unintentional
1501	1,400	2501	700	Utility issue fee (or reissue)
1502	800	2502	400	Design issue fee
1503	1100	2503	550	Plant issue fee
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))
1814	130	2814	65	Statutory Disclaimer
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))
1801	790	2801	395	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.
1505	300	1505	300	Publication fee for republication
1803	130	1803	130	Request for voluntary publication or republication
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (4) \$ 500.00

SUBMITTED BY:

Typed or Printed Name: Sheryl Sue Holloway

Signature: 

Date: Dec 5, 2005

Reg. Number: 37,850

Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450